

2. The gene of claim 1 wherein the modified gene is operatively linked to at least one mammalian regulatory sequence.

3. (Amended) The gene of claim 1 wherein the alteration eliminates one or more glycosylation sites.

### Remarks

Claims 1-3 are pending in the application. Claims 32-49 were rejected under 35 U.S.C. § 102. The present response amends claims 1 and 3. No new matter is added by the present Amendment. All rejections and objections raised in the Office Action are addressed individually below.

### Information Disclosure Statement

A corrected Information Disclosure Statement, together with Form 1449, are submitted herewith, which include a publication date, source, date of publication, and pages to be considered. Applicant apologizes for this oversight and requests that the IDS and Form 1449 submitted herewith be considered. Withdrawal of this objection is respectfully requested.

### Rejections Under 35 U.S.C. § 102

Claims 1-2 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Williamson et al. (Applied and Environmental Microbiology Vol. 60, No.3, pp. 771-776, March 1994.) The Examiner States that Williamson et al. disclose expression of *S. simulans* lysostaphin in a